



Atty. Dkt. No. 029318-0109

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bosch et al.  
Title: DRY POWDER AEROSOLS OF  
NANOPARTICULATE DRUGS  
Appl. No.: 09/190,138  
Filing Date: 11/12/1998  
Examiner: R. Berko  
Art Unit: 1615

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated January 14, 2004, finally rejecting Claims 11-121.

☒ [ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ [ X ] Notice of Appeal Fee

☒ [ X ] To be paid as detailed below

☐ [ ] Not required (Fee paid in prior appeal)

07/13/2004 SDIRETA1 00000151 09190138

01 FC:1401  
02 FC:1203

330.00 GP  
840.00 GP

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$330.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$950.00
<input checked="" type="checkbox"/>	Extension Already Obtained for first month:	\$110.00
	FEE TOTAL:	\$1170.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$1170.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$1170.00 . A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$1170.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 14, 2004

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By *Sten M. Simkin* Reg. No. 54,393

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